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DAVID P. CUSICK, #160467, TRUSTEE  
NEIL ENMARK, #159185, attorney for Trustee  
TALVINDER S. BAMBHRA, #230907, attorney for Trustee  
P.O. Box 1858  
Sacramento, California 95812-1858  
[legalmail@cusick13.com](mailto:legalmail@cusick13.com)  
(916) 856-8000

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

In Re:  
Jason Matthew Wentz

AKA: Jason M Wentz  
Jason Wentz/  
DBA:

Case No: 12-33823-C-13C  
DC NO: DPC-1

NOTICE OF DEFAULT AND  
APPLICATION TO DISMISS

DATE: NONE REQUESTED

CHAPTER 13 TRUSTEE David P. Cusick makes this application to the Court to dismiss this case  
because:

**Debtor has failed to make all payments due under the plan. As of December 15, 2014, payments are delinquent in the amount of \$3,085.00. An additional payment of \$1,455.00 will become due on December 25, 2014. Therefore, a total amount of \$4,540.00 will be due within 30 days from the date of the service of this notice.**

**NOTICE IS HEREBY GIVEN** that Local Bankruptcy Rule 3015-1(g) provides that, "if the debtor fails to make a payment pursuant to a confirmed plan, including a direct payment to a creditor, the Trustee may mail to the debtor and the debtor's attorney written notice of the default." **THIS CASE WILL BE DISMISSED** unless the debtor does one of the following:

(1) If the debtor believes that the default noticed by the Trustee does not exist, the debtor shall set a hearing within twenty-eight (28) days of the mailing of the notice of default and give at least

fourteen (14) days' notice of the hearing to the Trustee pursuant to LBR 9014-1(f)(2). At the hearing, if the Trustee demonstrates that the debtor has failed to make a payment required by the confirmed plan, and the debtor fails to rebut the Trustee's evidence, the case shall be dismissed at the hearing.

(2) Alternatively, the debtor may acknowledge that the plan payment(s) has(have) not been made and, within thirty (30) days of the mailing of the notice of default, either (A) make the delinquent plan payment(s) in the amount of \$4,540.00 or (B) file a modified plan and a motion to confirm the modified plan. If the debtor's financial condition has materially changed, a declaration (which may be in the format of Schedules I and J) shall be filed and served with the motion to modify the chapter 13 plan.

**NOTICE IS FURTHER GIVEN** that if the debtor fails to set a hearing on the Trustee's notice, or cure the default by payment, or file a proposed modified chapter 13 plan and motion, or perform the modified chapter 13 plan pending its approval, or obtain approval of the modified chapter 13 plan, all within the time constraints set out above, the case shall be dismissed without a hearing on the Trustee's application.

**YOU SHOULD CONSULT WITH YOUR ATTORNEY IF YOU HAVE ONE.**

The Trustee has received the following payments in your case:

Amount	Date	Source	Amount	Date	Source
\$ 1,280.00	Aug 21, 2012	CC #00293	\$ 1,280.00	Sep 24, 2012	CC #13949
\$ 1,280.00	Oct 26, 2012	CC #06736	\$ 1,280.00	Nov 20, 2012	CC #00438
\$ 1,280.00	Dec 27, 2012	CC #09305	\$ 1,280.00	Jan 28, 2013	CC #15340
\$ 1,280.00	Feb 25, 2013	CC #00635	\$ 1,280.00	Mar 26, 2013	#
\$ 1,280.00	Apr 24, 2013	#	\$ 1,280.00	May 28, 2013	#
\$ 1,280.00	Jul 10, 2013	#	\$ 1,280.00	Aug 12, 2013	#
\$ 1,280.00	Sep 10, 2013	#	\$ 1,280.00	Oct 09, 2013	#
\$ 1,280.00	Nov 12, 2013	#	\$ 1,280.00	Dec 26, 2013	#
\$ 1,280.00	Jan 24, 2014	#			

\$ 1,280.00	Mar 24, 2014	#	\$ 1,280.00	May 05, 2014	#
\$ 1,280.00	Jun 09, 2014	#	\$ 1,280.00	Jul 08, 2014	#
\$ 1,455.00	Aug 07, 2014	#	\$ 1,455.00	Oct 06, 2014	#

DATED: December 16, 2014



David P. Cusick, Chapter 13 Trustee